

following the text of the section the following statement:

(The reporting requirements contained in this section are not subject to OMB approval under section 3507 of the Paperwork Reduction Act, 44 U.S.C. 3501-3520.)

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## ENVIRONMENTAL PROTECTION AGENCY

### 21 CFR Part 561

[FAP 1H5289/T83; PH FRL 2120-5]

#### Methamidophos; Tolerances for Pesticides

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

**SUMMARY:** This rule establishes a feed additive regulation to permit residues of the insecticide methamidophos in or on safflower meal resulting from its use in a proposed experimental program involving application of the insecticide on the growing crop safflower. This regulation, to permit the marketing of the commodity while further data on methamidophos are being collected, was requested by Chevron Chemical Co.

**EFFECTIVE DATE:** May 12, 1982.

**ADDRESS:** Written objections may be submitted to the: Hearing Clerk, Environmental Protection Agency, Rm. 3708 (A-110), 401 M St, SW., Washington, DC 20460.

**FOR FURTHER INFORMATION CONTACT:** William Miller, Product Manager (PM) 16, Registration Division (TS-787C), Office of Pesticide Programs, Environmental Protection Agency, Rm. 211 CM No. 2, 1921 Jefferson Davis Highway, Arlington, VA 22202, (703-557-2600).

**SUPPLEMENTARY INFORMATION:** EPA issued a notice published in the Federal Register of April 22, 1981 (46 FR 22983) which announced that Chevron Chemical Co., 940 Hensley St., Richmond, CA 94804, had submitted a feed additive petition (FAP 1H5289) proposing that 21 CFR Part 561 be amended by the establishment of a regulation permitting the residues of the insecticide methamidophos (*O,S*-dimethyl phosphoramidothioate) in or on the feed commodity safflower meal at 0.6 part per million (ppm) resulting from its use in a proposed experimental program involving application of the insecticide to the growing crop safflower.

There were no comments received in response to this notice of filing.

The scientific data submitted and other relevant material have been evaluated, and it has been determined that the pesticide may be safely used in accordance with the provisions of the experimental use permit which is being concurrently issued under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended.

The toxicology data considered in support of the regulation were acute oral LD<sub>50</sub> studies on the rat and mouse; an acute dermal LD<sub>50</sub> study on the rabbit; an acute inhalation LC<sub>50</sub> and cholinesterase activity study on the rat; a primary eye irritation study on the rabbit; 90-day rat and dog feeding studies; a teratology study (rabbit); an acute delayed neurotoxicity (hen) study; and an interim report of an oncogenic study (mouse).

Desirable data that are currently lacking and the projected dates of completion of these studies are as follows: a chronic feeding/oncogenic study (rat)—August 1984; the final report of the oncogenic study (mouse)—January 1983; a teratology study (rat)—October 1982; a reproduction study (rat)—June 1984; and mutagenic study (dominant lethal)—November 1982.

Although there are significant data gaps for the chemical, the available toxicity data are adequate to support the proposed temporary tolerance because the proposed experimental use will not significantly increase the current theoretical maximum residue contribution (TMRC) to the human diet. The TMRC from this use would be less than 0.003 percent (0.0000045 milligram (mg) per day). No detectable residues (less than 0.01 ppm) were found in the refined safflower oil. A related document establishing a temporary tolerance for residues of the insecticide in or on safflower seed at 0.3 ppm appears elsewhere in this issue of the Federal Register.

The currently established tolerances for the combined residues of acephate and methamidophos in meat, milk, poultry, and eggs are adequate to cover any secondary residues of methamidophos in meat, milk, poultry, and eggs resulting from the proposed experimental use on safflower.

The metabolism of the insecticide is adequately understood and an adequate analytical method (gas chromatography equipped with a cesium bromide thermionic detector) is available for enforcement purposes. There are presently no actions pending against continued registration of this chemical.

Based on the above information considered by the Agency, it is concluded that the pesticide may be safely used in accordance with the

prescribed manner when such uses are in accordance with the label and labeling registered pursuant to FIFRA, as amended, (86 Stat. 973; 89 Stat 751; U.S.C. 136(a) *et seq.*). Therefore, 21 CFR Part 561 is amended as set forth below.

Any person adversely affected by this regulation may, on or before June 11, 1982, file written objections with the Hearing Clerk (A-101), Environmental Protection Agency, Rm. 3708, 401 M St., SW., Washington, DC 20460. Such objections should be submitted in quintuplicate and specify the provisions of the regulation deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing and the grounds for the objections. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought.

The Office of Management and Budget has exempted this regulation from the requirements of section 3 of Executive Order 12291.

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-534, 94 Stat. 1184, 5 U.S.C. 601-612), the Administrator has determined that regulations establishing new food or feed additive levels, or conditions for safe use of additives, or raising such food or feed additive levels do not have a significant economic impact on a substantial number of small entities. A certification statement to this effect was published in the Federal Register of May 4, 1981 (46 FR 24945).

Effective on: May 12, 1982.

#### List of Subjects in 21 CFR Part 561

Animal feeds, Pesticides and pests.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 346(c)(1)))

Dated: April 27, 1982.

Edwin L. Johnson,

Director, Office of Pesticide Programs.

#### PART 561—TOLERANCES FOR PESTICIDES IN ANIMAL FEEDS ADMINISTERED BY THE ENVIRONMENTAL PROTECTION AGENCY

Therefore, 21 CFR Part 561 is amended by adding a new § 561.277 to read as follows:

##### § 561.277 Methamidophos.

(a) A feed additive regulation is established for residues of the insecticide methamidophos (*O,S*-dimethyl phosphoramidothioate) to read as follows:

Feed	Parts per million	Company	Expiration date
Safflower meal.....	0.6	Chevron Chemical.	Aug. 31, 1982

(b) Residues not in excess of the tolerance limitation indicated above resulting from the use of the insecticide remaining after the expiration of the experimental use program will not be considered actionable if the pesticide is legally applied during the term of, and in accordance with, the provisions of the experimental use permit and feed additive tolerance.

(c) The company shall immediately notify the Environmental Protection Agency of any findings from the experimental use that have a bearing on safety. The firm shall also keep records of production, distribution, and performance and on request make the records available to any authorized officer or employee of the Environmental Protection Agency or the Food and Drug Administration.

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

### Office of the Assistant Secretary for Fair Housing and Equal Opportunity

#### 24 CFR Part 120

[Docket No. R-82-959]

### Community Housing Resource Board Program; Disbursement of Funds

**AGENCY:** Office of the Assistant Secretary of Fair Housing and Equal Opportunity, HUD.

**ACTION:** Notice of effective date for interim rule.

**SUMMARY:** This document announces the effective date for the interim rule published in the *Federal Register* on March 25, 1982 (47 FR 12926) which governed the disbursement of funds to Community Housing Resource Boards to carry out activities that would enhance the effectiveness of the Voluntary Affirmative Marketing Agreements Program. The effective date provision of the rule stated that the rule would become effective upon expiration of the first period of 30 calendar days of continuous session of Congress after publication, subject to waiver, and announced that future notice of the effectiveness of the rule would be published in the *Federal Register*.

Thirty calendar days of continuous session of Congress have expired since the rule was published.

**DATE:** The effective date for the interim rule published March 25, 1982, 47 FR 12926, is May 12, 1982.

**FOR FURTHER INFORMATION CONTACT:** Richard Lasner, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 5218, 451 7th Street, S.W., Washington, D.C. 20410, Telephone No. (202) 755-6207. This is not a toll-free number.

Dated: May 6, 1982.  
Richard Lasner,  
Assistant General Counsel for Regulations.  
[FR Doc. 82-12736 Filed 5-11-82; 8:45 am]  
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## DEPARTMENT OF THE TREASURY

### Bureau of Alcohol, Tobacco and Firearms

#### 27 CFR Part 9

[T.D. ATF-101; Ref: Notice No. 369]

### Edna Valley Viticultural Area

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms, Treasury.

**ACTION:** Final rule. Treasury decision.

**SUMMARY:** This final rule establishes a viticultural area in San Luis Obispo County, California, to be named "Edna Valley." The Bureau of Alcohol, Tobacco and Firearms (ATF) believes the establishment of Edna Valley as a viticultural area and its subsequent use as an appellation of origin on wine labels and in wine advertisements will allow wineries in the area to better designate where their wines come from and will enable consumers to better identify the wines from this area.

**EFFECTIVE DATE:** June 11, 1982.

**FOR FURTHER INFORMATION CONTACT:** Robert L. White, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20226 (202-566-7626).

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 23, 1978, ATF published Treasury Decision ATF-53 (43 FR 37672, 54624) revising regulations in 27 CFR Part 4 allowing the establishment of definite viticultural areas. These regulations also allow the name of an approved viticultural area to be used as an appellation of origin in wine labeling and advertising.

Section 4.25a(e)(1) defines an American viticultural area as a delimited grape-growing region

distinguishable by geographic characteristics. Section 4.25a(e)(2) outlines the procedures for proposing an American viticultural area. Any interested person may petition ATF to establish a grape-growing region as a viticultural area.

Edna Valley Vineyard, Paragon Vineyard Co., Inc., Chamisal Vineyard, Lawrence Winery, and MacGregor Vineyards petitioned ATF to establish a viticultural area in San Luis Obispo County, California, to be named "Edna Valley."

In response to this petition, ATF published a notice of proposed rulemaking, Notice No. 369, in the *Federal Register* on April 9, 1981 (46 FR 21195), proposing the establishment of the Edna Valley viticultural area.

#### Comments

Ten comments were received during the comment period. Six of the comments were from wineries and vineyards located in Edna Valley. The remaining four comments were from a wine consumer, a farm advisor at the University of California, a consulting enologist in the state of California, and a Chairman of the Board of a vineyard located outside of Edna Valley. All ten comments were in full support of the petition. ATF has received no information from any source indicating opposition to the petition.

#### Evidence of the Name

The name of the area, Edna Valley, was well documented in the petition. The valley derives its name from the small community of Edna founded about 1883. The name "Edna" was first used in a recorded lease document in 1899. Over the ensuing years the valley became locally known as Edna Valley. After evaluating the petition and the comments received, ATF believes that the Edna Valley viticultural area has a unique historical identity and that the name "Edna Valley" is the most appropriate name for the area.

#### Geographical Evidence

In accordance with 27 CFR 4.25a(e)(2), a viticultural area should possess geographical features which distinguish the viticultural features of the area from surrounding areas.

The petition and attached documents show that Edna Valley is a natural, elongated valley consisting of approximately 35 square miles. It is oriented along a northwest-southeast axis and is well defined by the Santa Lucia Mountains on the northeast side; by a low, hilly complex on the southeast; and by the San Luis Range on

the southwest. The upper end or northwest border merges into the Los Osos Valley just beyond the city of San Luis Obispo. The inland areas of San Luis Obispo County generally experience substantially higher summer temperatures and substantially lower winter temperatures than Edna Valley. This is because of the mountain barrier which runs along the San Luis Obispo County coastline, shielding the inland areas from the moderating ocean influences. In Edna Valley, killing frosts are rare which is not the case in other inland areas of the county that are denied the benefits of the ocean influence by the mountain barrier.

There is a gap in this mountain barrier where the Los Osos Valley meets the ocean in the Morro Bay area, 15 miles to the northwest of Edna Valley. Los Osos Valley serves as a wide mouthed funnel, providing an unobstructed sweep from the ocean into Edna Valley, bringing frequent morning fog during the summer months and winds in the afternoon. The pocket of hills and mountains surrounding Edna Valley captures the marine air, tempered by distance from the coastline, flowing in from Morro Bay through the Los Osos Valley, creating climatic conditions which differentiate Edna Valley from the surrounding areas. Although Los Osos Valley to the northwest is also a distinguishable valley, its proximity to the ocean causes its climate to be colder with more fog and wind than Edna Valley.

The floor of Edna Valley is approximately 120 to 300 feet above sea level. The viticultural area projects into the surrounding uplands to the 600-foot contour line of the Santa Lucia Mountains and to the 400-foot contour line of the San Luis Range on the west. The elevations of the surrounding mountainous areas generally range between 1000 to 2400 feet to the northwest, 600 to 1600 feet to the southeast, and 400 to 900 feet to the south and west. Major soils within the Edna Valley viticultural area are generally sandy clay loam, clay loam or clay. They are mostly hard, firm, sticky and plastic. They are also generally neutral to moderately alkaline. Most soils are calcareous at some level of the surface soil or subsoil. Soils in the surrounding mountainous areas above the 400 to 600-foot contour levels are shallower than in the valley and are of poor soil capability. Soils in Los Osos Valley are similar to those in Edna Valley but are generally heavier and of better capability.

After evaluating the petition and comments, ATF has determined that due to the topographic and climatic features of Edna Valley, it is distinguishable from the surrounding areas.

#### Boundaries

The boundaries proposed by the petitioner are adopted. The boundaries for the viticultural area are essentially the same as those for Edna Valley except that the viticultural area boundaries omit the hilly and mountainous areas (above the 400-foot contour line on the southwest side of the valley and above the 600-foot contour line on the northeast side) where slopes are too steep and soil capabilities are not suitable for grape-growing.

#### Miscellaneous

ATF does not wish to give the impression by approving the Edna Valley viticultural area that it is approving or endorsing the quality of the wine from this area. ATF is approving this area as being viticulturally distinct from surrounding areas, not better than other areas. By approving the area, wine producers are allowed to claim a distinction on labels and advertisements as to origin of the grapes. Any commercial advantages gained can only come from consumer acceptance of Edna Valley wines.

#### Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to a final regulatory flexibility analysis (5 U.S.C. 604) are not applicable to this final rule because the final rule will not have a significant economic impact on a substantial number of small entities. The final rule will not impose, or otherwise cause, a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities. The final rule is not expected to have significant secondary or incidental effects on a substantial number of small entities.

Accordingly, it is hereby certified under the provisions of section 3 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that this final rule will not have a significant economic impact on a substantial number of small entities.

#### Executive Order 12291

It has been determined that this final regulation is not a "major rule" within the meaning of Executive Order 12291 of February 17, 1981, because it will not have an annual effect on the economy of \$100 million or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

#### Disclosure

A copy of the petition and the comments received is available for inspection during normal business hours at the following location: ATF Reading Room, Room 4405, Office of Public Affairs and Disclosure; 12th and Pennsylvania Avenue, NW., Washington, D.C.

#### Drafting Information

The principal author of this document is Robert L. White, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms. However, personnel in other offices of the Bureau participated in the preparation of this document, both in matters of substance and style.

#### List of Subjects in 27 CFR Part 9

Administrative practice and procedure, Consumer protection, Viticultural areas, Wine.

#### Authority and Issuance

Accordingly, under the authority contained in section 5 of the Federal Alcohol Administration Act (49 Stat. 981, as amended; 27 U.S.C. 205), 27 CFR Part 9 is amended as follows:

#### PART 9—AMERICAN VITICULTURAL AREAS

Part 1. The table of sections in 27 CFR Part 9, Subpart C, is amended to include the title of § 9.35. As amended, the table of sections reads as follows:

#### Subpart C—Approved American Viticultural Areas

Sec.	*	*	*	*	*
9.35	Edna Valley.				
	*	*	*	*	*

Part 2. Subpart C is amended by adding § 9.35. As amended, Subpart C reads as follows:

#### Subpart C—Approved American Viticultural Areas

*	*	*	*	*
§ 9.35	Edna Valley.			

(a) *Name.* The name of the viticultural area described in this section is "Edna Valley."

(b) *Approved maps.* The appropriate maps for determining the boundaries of the Edna Valley viticultural area for four U.S.G.S. maps, They are titled:

(1) "San Luis Obispo Quadrangle, California—San Luis Obispo Co.," 7.5 minute series;

(2) "Lopez Mtn, Quadrangle, California—San Luis Obispo Co.," 7.5 minute series;

(3) "Pismo Beach Quadrangle, California—San Luis Obispo Co.," minute series; and

(4) "Arroyo Grande NE Quadrangle, California—San Luis Obispo Co.," 7.5 minute series.

(c) *Boundaries.* The Edna Valley viticultural area is located in San Luis Obispo County, California. The beginning point is Cuesta Canyon County Park, located on U.S.G.S. map "San Luis Obispo Quadrangle" at the north end of Section 25, Township 30 South, Range 12 East.

(1) From the beginning point, the boundary runs southwesterly along San Luis Obispo Creek to a point .7 mile southerly of the confluence with Davenport Creek;

(2) Thence due east to the intersection with the 400-foot contour line of the northeastern flank of the San Luis Range;

(3) Thence in a generally easterly and then a southeasterly direction along this 400-foot contour line of the northeastern flank of the San Luis Range, which forms the southwestern rim of Edna Valley, to the township line identified as "T31S/T32S" on the U.S.G.S. map;

(4) Thence east along township line "T31S/T32S", across Price Canyon to Tiber;

(5) Thence in a generally easterly direction along the 400-foot contour line of Tiber Canyon and the southern rim of Canada Verde, crossing Corbit Canyon Road and continuing along the 400-foot contour line to longitude line 120°32'30";

(6) Thence north along longitude line 120°32'30" to the 600-foot contour line of the southwestern flank of the Santa Lucia Mountain Range;

(7) Thence in a generally northwesterly direction along the 600-foot contour line of the southwestern flank of the Santa Lucia Range to Cuesta Canyon County Park, the beginning point.

Signed: March 25, 1982.

G. R. Dickerson,

Director.

Approved: April 12, 1982.

John M. Walker, Jr.,

Assistant Secretary, Enforcement and Operations.

[FR Doc. 82-12802 Filed 5-11-82; 8:45 am]

BILLING CODE 4810-31-M

## 27 CFR Part 9

[T.D. ATF-102; Ref: Notice No. 381]

### Lancaster Valley Viticultural Area

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms, (ATF), Treasury.

**ACTION:** Final rule, Treasury decision.

**SUMMARY:** This rule establishes a

viticultural area in Lancaster and Chester Counties, Pennsylvania, to be named "Lancaster Valley." This final rule is the result of a petition submitted by Mr. R. Martin Keen, proprietor of Conestoga Vineyards in Lancaster, Pennsylvania. The Bureau of Alcohol, Tobacco and Firearms believes the establishment of Lancaster Valley as a viticultural area and its subsequent use as an appellation of origin in wine labeling and advertising will allow local wineries to better designate their specific grape-growing area and will enable consumers to better identify the wines they purchase.

**EFFECTIVE DATE:** June 11, 1982.

**FOR FURTHER INFORMATION CONTACT:** Charles N. Bacon, Research and Regulations Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, D.C. 20226, Telephone: 202-566-7626.

#### SUPPLEMENTARY INFORMATION:

##### Background

ATF regulations in 27 CFR Part 4 allow the establishment of definite viticultural areas. These regulations also allow the name of an approved viticultural area to be used as an appellation of origin on wine labels and in wine advertisements. Section 9.11, Title 27, CFR, defines an American viticultural area as a delimited grape-growing region distinguishable by geographical features. Under § 4.25a(e)(2), any interested person may petition ATF to establish a grape growing region as an American viticultural area.

ATF was petitioned to establish a viticultural area in eastern Pennsylvania to be named "Lancaster Valley." In response to this petition, ATF published a Notice of Proposed Rulemaking, No. 381, in the *Federal Register* on August 28, 1981, (46 FR 43488), proposing the establishment of the "Lancaster Valley" viticultural area.

##### Comments

Only one comment was received in response to the notice of proposed rulemaking. The petitioner, R. Martin Keen of Conestoga Vineyards, submitted a comment in support of the notice of proposed rulemaking. The petitioner also suggested minor clarifications in the boundaries of the proposed viticultural area.

##### Historical and Current Evidence of the Name

The name Lancaster Valley was documented in the petition as being long associated with the proposed area in eastern Pennsylvania. The viticultural area is located almost entirely within Lancaster County, and Lancaster is the

largest and most important city within the area. Lancaster Valley is the name used by the Pennsylvania and United States Geologic Surveys to describe the region in the viticultural area.

Although Lancaster County was one area in which wine grapes were cultivated in the early part of the 19th Century, the area has not been known as a wine producing area until quite recently. Since the early 1970s, two wineries have been bonded within the Lancaster Valley and there are now approximately 41.5 acres of wine grapes in cultivation. ATF, therefore, believes that the historical and current evidence supports the viticultural area as a distinct grape-growing area.

##### Geographic Evidence

The petition established the Lancaster Valley viticultural area as a distinctive grape-growing region distinguished from surrounding areas on the basis of soil, topography and geology.

Lancaster Valley is located in the Lancaster-Frederic Lowland. Its topography is a nearly level valley, averaging 400 feet in elevation and decreasing in elevation from an average of 500 feet at its eastern edge to 300 feet at its western edge along the Susquehanna River. The valley is over 30 miles long, 12 miles wide and encompasses approximately 225,000 acres. Lancaster Valley is bounded on the north, east and south by areas of higher elevation ranging from 100 to 600 feet above the valley floor, and on the west by the Susquehanna River.

Soils found within the Lancaster Valley are typical of those derived from limestone, and include Conestoga, Beekmantown, Conococheague and Elbrook Limestones, and Ledger and Vintage dolomites. These soils are deep, well drained, hold moisture well, and are highly productive. They contrast sharply with soils found in the hills and upland areas surrounding the Lancaster Valley. Generally, the surrounding soils are composed of harder rocks (quartzite, schist, gneiss, etc.) which are more resistant to erosion and less fertile than the limestone soils found within the Lancaster Valley. The deep fertile soils of the valley were formed from the insoluble and weathered products left from the decay of the parent limestones.

Climate is not a factor in differentiating the Lancaster Valley viticultural area from surrounding areas.

Based on the information contained in the petition pertaining to the geographical features, ATF has determined that this area is distinguishable from the surrounding area.